

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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DERRICK LA'QUAN SMITH,

Plaintiff,

vs.

LAS VEGAS METRO POLICE  
OFFICER, et al.,

Defendants.

2:09-CV-00806-PMP-PAL

**ORDER**

Before the Court for consideration is Plaintiff Derrick Smith's Application to Proceed *In Forma Pauperis* (Doc. #4). On April 13, 2010, the Honorable Peggy A. Leen United States Magistrate Judge, entered an Amended Report of Findings and Recommendation (Doc. #10) recommending that Plaintiff Smith's Complaint be dismissed with prejudice. Plaintiff Smith was given notice to file written objections with the court to Magistrate Judge Leen's Amended Report and Recommendations within twenty (20) days after being served. To date no objections have been filed and the time to do so has now expired.

The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 and determines that Magistrate Judge Leen's Amended Report of Findings and Recommendation (Doc. # 10) should be Affirmed.

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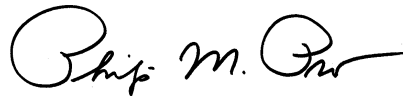
1           **IT IS THEREFORE ORDERED** that Magistrate Judge Leen's Amended  
2 Report of Findings and Recommendation (Doc. #10) are Affirmed and Plaintiff  
3 Derrick La'Quan Smith's Complaint (Doc. #8) is **DISMISSED** with prejudice.

4           **IT IS FURTHER ORDERED** that Plaintiff's Application to Proceed *In*  
5 *Forma Pauperis* (Doc. #4) is **GRANTED**, and the Clerk of Court shall file the  
6 Complaint.

7           **IT IS FURTHER ORDERED** that Plaintiff's Motion for Discovery (Doc.  
8 # 5) is **DENIED**.

9           **IT IS FURTHER ORDERED** that Plaintiff's Motion for Appointment of  
10 Counsel (Doc. #7) is **DENIED**.

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12 DATED: May 10, 2010.

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15 PHILIP M. PRO  
16 United States District Judge  
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